



2009 SENATE BILL 321

September 30, 2009 – Introduced by Senators VINEHOUT, HOLPERIN, LAZICH, ERPENBACH, COWLES, ELLIS, SCHULTZ and TAYLOR, cosponsored by Representatives DANOU, JORGENSEN, RADCLIFFE, WOOD, ZIGMUNT, BALLWEG, VAN AKKEREN, BERCEAU, KAUFERT, POPE-ROBERTS and ZEPNICK. Referred to Committee on Transportation, Tourism, Forestry, and Natural Resources.

- 1 **AN ACT** *to repeal* 349.26 (3); and *to renumber and amend* 349.26 (2) of the
2 statutes; **relating to:** operation of neighborhood electric vehicles.

Analysis by the Legislative Reference Bureau

Under current law, a “neighborhood electric vehicle” (NEV) is a motor vehicle that is propelled by electric power and that meets certain standards for low-speed vehicles under federal law, but does not include a golf cart. A municipality may, by ordinance, allow the use of NEVs on roadways under its jurisdiction that have a speed limit of 35 miles per hour or less. However, a municipal ordinance may not allow the use of NEVs on connecting highways within the municipality, or where the municipality’s roadways cross state trunk highways, unless all of the following apply: 1) the municipality provides written notice to the Department of Transportation (DOT) of the ordinance, including identification of any connecting highway or state trunk highway intersection to which the ordinance will apply; and 2) within 21 days of receiving this notice, DOT consents or fails to object to the use of NEVs on the connecting highway or through the intersection crossing the state trunk highway.

This bill expands municipal authority to allow operation of NEVs on roadways within the municipality. Under the bill, a municipal ordinance may allow the use of NEVs on any roadway within the municipality that has a speed limit of 35 miles per hour or less, regardless of whether the municipality has jurisdiction over the roadway.

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For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 349.26 (2) of the statutes is renumbered 349.26 and amended to read:

349.26 Authority to allow the operation of neighborhood electric vehicles. Subject to sub. (3), the The governing body of any city, town, or village municipality may by ordinance allow the use of a neighborhood electric vehicle on a roadway that has a speed limit of 35 miles per hour or less and ~~over which the city, town, or village~~ that is located within the territorial boundaries of the municipality, regardless of whether the municipality has jurisdiction over the roadway.

SECTION 2. 349.26 (3) of the statutes is repealed.

(END)